



Course Participants' Records Policy

Version 1.3

Author: Senior Manager Quality Assurance

Quality Assurance Department

1. Purpose

- 1.1. To define course participants' records, establish parameters for appropriate use of said records, establish course participants' rights relative to education and other course participants' records, and ensure compliance with applicable laws and regulations.
- 1.2. The objective of this policy is to maintain these records:
 - Accurately
 - Securely
 - In a timely manner
 - So that they meet the requirements of the GDPR, NAA, FOIA and any other relevant legislation.

2. Scope

- 2.1. This policy applies to:
 - All administrative and academic staff who record information/data in the Institute's course participant's academic record.
 - All course participants in relation to their responsibility to maintain their contact details and to complete their online enrolment for each relevant tutoring/teaching period.

3. Course Participant Records

- 3.1. Details pertinent to course participants are obtained from them at the time of their application and subsequent enrolments updates are uploaded onto Institute's IT System.
- 3.2. Electronic academic records are maintained for all course participants enrolled at the Institute.
- 3.3. Historic documents electronically stored on a central IT system as per Institute's policy.
- 3.4. A course participant's academic record includes the compilation of the final results for every enrolled unit across all courses, periods of attendance and the dates of course completion or discontinuance, award conferral and graduation.

4. Storage of Records

- 4.1. All records are kept in an electronic format in the Institute's IT system. Electronic records are backed up regularly on Microsoft One Drive and external hard disks and stored off site.

5. Processing

- 5.1. All Employees / contractors data will be kept on record solely for internal processing by the Institute.
- 5.2. Internal processing includes any operation or series of operations the Institute may carry out on personal data:
- Collection
 - Recording
 - Organisation
 - Structuring
 - Storage
 - Retrieval
 - Consultation
 - Use
 - Disclosure
 - Dissemination

6. Data Control and Validity

- 6.1. The academic records of current and past course participants belong to the Institute.
- 6.2. The Registrar (or appointed officer) is the appointed steward of all academic records and is responsible for ensuring the control, accuracy and validity of the electronic course participant data. The Registrar is also responsible for ensuring the validity of the data.
- 6.3. To maintain the accuracy and validity of all data used and reported, both internally and externally, in relation to the academic programme at the Institute, only data and reports generated from IT system are to be used. This includes, but is not limited to, data in relation to:
- Enrolment
 - Class lists
 - Withdrawal rates

- Completion rates
- Progress rates
- Course and unit offerings
- Number of graduates/awardees each class/year

7. Access to and Security of Records

7.1. Staff Access

7.1.1. Academic and administrative staff members of the Institute are given access to information contained in course participant records if they need to know the information in order to perform their official duties. As a general rule, only employees involved in some aspect of academic administration or course participant affairs are given access to the contents of course participant records

7.1.2. A username and personal password is required to access records in the IT system. (when this is in place)

7.2. Course Participant Access

7.2.1. Current and former course participants of the Institute have access to their own records on request in writing.

7.2.2. Course participants have the right to request that erroneous information contained in their record be corrected, and that recipients of any incorrect information be advised of the correction. A course participant may 'require that statement of disagreement be attached to the information reflecting any correction that was requested but not made'. (see Appendix B for Amendment of Education Records).

7.2.3. The Institute provides course participants with accurate and up to date information about the status and outcomes of the units and courses in which they are enrolled. This information is available to current course participants in electronic form through the Institute's Online IT system.

7.2.4. Upon formal request to the Office of the Registrar (or appointed alternative official) and payment of a fee, course participants whose fee account shows no outstanding balance may obtain an official transcript of their record of studies at the Institute or have copies thereof sent to a third party. Official transcripts will be complete and unabridged. (Transcripts show the scholarships granted, programs of study followed, courses taken, results obtained, and awards/certificates/diplomas/degrees

- 7.2.5. awarded. They may also contain the course participant's overall standing, promotion comments, disciplinary rulings, and information on awards of distinction.) (see Appendix C for Disclosure of Education Records).
- 7.2.6. Course participants only may have access to information about their academic records or financial accounts with the Institute (i.e., no academic or financial information will be released to a third party without the course participant's written authorization), or unless the Institute is compelled to do so by law.

7.3. Third Party Access

- 7.3.1. Information about a course participant is not to be disclosed to any third party without the consent of the course participant concerned, unless required or permitted by law.
- 7.3.2. Persons outside of the Institute do not have access to the records of individual course participants unless course participants have given written permission for the release of specific records, or unless the knowledge of such information is required to be provided to agencies which are legally entitled to such information.
- 7.3.3. Information required by other education institutions for the purposes of confirming qualifications of a current or former course participants of the Institute, such as confirmation of units of study completed, participation in officially recognised activities, and scholarships received by course participants, will not be released by the Institute unless accompanied by written authorisation of the course participant.

8. Information Kept on File for Current Course Participants

- 8.1. The Institute's Admissions staff, Course Coordinators, Lecturers and Centre Administrator enter and update information in the IT system, according to their level of access.
- 8.2. Information kept on record includes:
- Initial application information, together with all documentation requested and produced during the application process;
 - Signed or confirmed declarations associated with application and enrolment processes;
 - Letter of offer;
 - Acceptance or rejection of offer;
 - Copy of electronic Confirmation of Enrolment;

- Personal details (e.g.: names, birth date, contact details, emergency contact details, citizenship, ID card or visa for international course participants, health insurance details for international course participants etc.);
- Enrolment information (e.g. course and unit enrolment);
- Academic progress information (e.g. grades, advanced standing and credit transfer, academic status, enrolment restrictions and encumbrances);
- Letters and e-mails pertaining to advanced standing, cross-institutional study and academic progress at the Institute;
- Academic Support or Counselling recommendations and outcomes;
- Forms submitted regarding unit/course withdrawal or course changes.

9. Request for letter of reference/recommendation from the Institute

9.1. Course participants who request letters of reference or recommendation from the Institute need to do so in writing. Such letters or statements are most effective if they contain specific information about the course participants' academic or work performance; this type of information is considered 'non-directory' information and cannot be released without the signed written consent of the course participant, according to the GDPR (2018) and the Institute's Course Participants' Records Policy.

9.2. A course participant request authorizing release of non-directory information should contain the following:

- What information is to be released (be as specific as possible)
- To whom the information is to be released (name, address)
- The purpose of the release of the information (application for a specific job or admission to a course, for example)
- Course participants' signature and date signed

10. Projects

10.1. Any data required in the implementation of a project needs to be retained according to the regulations stipulated by the funding body.

11. Data Breach

- 11.1. All confidentiality breaches, near misses or breaches of this policy will be reported as an incident to the Data Protection Commissioner within 72 hours by an email, ccing the Institute’s Data Protection Controller.
- 11.2. The notification to the Commissioner will include:
- a description of the breach,
 - the number of affected data subjects,
 - the categories of data affected,
 - the name and contact of the Data Protection Officer (‘DPO’),
 - the likely consequences of the breach
 - and the measures taken by the controller to remedy/ mitigate the breach.
- 11.3. Following a full and proper investigation, any breaches of confidentiality identified will be treated as a disciplinary issue.

12. Data Disposal

- 12.1. Records are not retained by the Institute beyond their retention periods, unless valid reasons for their continued retention are provided. Disposal of records pursuant to this policy should occur regardless of the medium on which records appear or their location.
- 12.2. As a general rule, records may be disposed of if:
- They have outlived their retention period, and
 - Continued preservation is not required per a current document hold.
- 12.3. The Institute’s records are reviewed periodically.

13. Complaints

- 13.1. A course participant alleging that the Institute has not complied with the Data Protection Act (2001) may file a course participant grievance in accordance with Course Participants’ Grievance Policy and Procedures or submit a written complaint to the:

Information and Data Protection Commissioner
Level 2, Airways House
High Street
Sliema SLM 1549
Malta

14. Related Documents

- Chapter 477 NAA - National Archives Act
- Chapter 440 DPA - Data Protection Act
- Chapter 496 FOIA - Freedom of Information Act
- Course Participants' Grievance Policy
- Teaching, Learning & Assessment Policy & Procedures
- General Data Protection Regulation (GDPR, 2018)

15. Version history

Originator	Version	Date	Changes Done
Quality Assurance Department	1.0	10/04/2018	Initial Release

Appendix A: Retention of Course Participants' Records

Record	Location	Minimum Retention Period	Reason for Length of Retention Period
Applications, Admissions and Induction			
Records documenting the handling of enquiries from prospective course participants.	Admissions Office	Current Course/ Academic Year + 3 years for Awards, 6 years for Undergraduate Qualifications and 5 years for Postgraduate Qualifications.	Good Practice
Records documenting the handling of applications for admission: unsuccessful applications.	Admissions Office	Current Course/ Academic Year + 3 years for Awards, 6 years for Undergraduate Qualifications and 5 years for Postgraduate Qualifications.	Good Practice
Records documenting the administration of induction programme and events for new course participants.	Admissions Office	Current Course/ Academic Year + 3 years for Awards, 6 years for Undergraduate Qualifications and 5 years for Postgraduate Qualifications.	Good Practice
Course Participant Records collated during the course			
Details of registration and academic performance (dates of study, progression, programme of study, marks, final award etc)	Registry	Perpetual	Provision of references and confirmation of registration/final award etc.
Full course participant records, including documents relating to application/admission; academic achievements and conduct; transfer, withdrawal or termination of studies.	Registry	10 years for personal and academic references.	Permits the Institute to provide references for a reasonable length of time. Also, limitation period for negligence.

Records documenting the handling of individual course participants' requests for statements of results/transcripts and third party requests for confirmation of course participant status etc.	Registry	Last action on request + 3 years	Good practice.
Course Administration (including Practice Placements, Practicum, Internship and In-Class Tutoring)			
Course Participants lists	Course Coordinator	Current Course/Academic Year + 2 years	Good practice.
Records documenting course participants' attendance, and submission of coursework.	Course Coordinator	Current Course/Academic Year + 2 years	Good practice.
Documents referring to coursework marks/grades and assessment.	Course Coordinator	Current Course/Academic Year + 2 years	Good practice.
Records documenting organization of course participants' Practice Placements, Practicum, Internship and In-Class Tutoring.	Education Officer (Training and Development)	Current Course/Academic Year + 2 years	Good practice.
Records documenting collation and notification of results.	Course Coordinator	Current Course/Academic Year + 2 years	Good practice.
Pass Lists/Award Lists	Registry	Perpetual	Formal record, forms part of archive.
Course Participants' Academic Work			
Undergraduate Course Work (Degrees, Certificates, Diplomas).	N/A	N/A – Course work is handed back to course participant after marking. Samples are retained indefinitely in the registry with the consent of the author for external audit purposes.	(NB. In the event of an appeal, or a request from an examiner, it will be student's responsibility to provide the coursework for consideration.)

Postgraduate Course Work (Degrees, Certificates and Diplomas).	N/A	N/A – Course work is handed back to course participant after marking. Samples are retained indefinitely in the registry with the consent of the author for external audit purposes.	(NB. In the event of an appeal, or a request from an examiner, it will be student’s responsibility to provide the coursework for consideration.)
Course Work related to Stand-Alone Modules, Short Courses and other Courses organized by the Institute.	N/A	N/A – Course work is handed back to course participant after marking. Samples are retained indefinitely in the registry with the consent of the author for external audit purposes.	(NB. In the event of an appeal, or a request from an examiner, it will be student’s responsibility to provide the coursework for consideration.)
Uncollected assignments	IfE Centre	6 months	Good Practice
Research Theses	Library	Maximum of 2 copies retained indefinitely.	
Discipline, Appeals and Complaints			
Records documenting the conduct and results of disciplinary proceedings against individual course participants.	Registry	Last action on case + 6 years.	Limitation period for negligence.
Records documenting the handling and results of academic appeals by individual course participants.	Registry	Last action on case + 6 years.	Limitation period for negligence.
Records documenting the handling of formal complaints made by individual course participants.	Registry	Last action on case + 6 years.	Limitation period for negligence.

Records documenting the handling of complaints made by individual course participants where formal complaints procedure is not initiated.	Registry	Last action on case + 3 years.	Good practice.
Award Giving Ceremonies			
Records documenting the organization of award ceremonies	Registry	Completion of ceremony + 2 years	Good practice.
Records documenting the production, collection and mailing of award certificates.	Registry	Completion of ceremony + 2 years	Good practice.

Appendix B: Disclosures of Education Records

The Institute will not disclose education records or the personally identifiable information contained therein unless permitted by the GDPR (2018) and under the following circumstances:

1. **Prior Written Consent** - The Institute will provide the education records or personally identifiable information contained therein if the course participant provides prior written consent that the information may be disclosed. The consent must:
 - Specify the records that may be disclosed;
 - State the purpose for the disclosure;
 - Identify to whom the disclosure is to be made; and
 - Be signed and dated by the course participant.
2. **Directory Information**
 - i. The Institute designates the following categories of information as directory information:
 - Name;
 - Major field of study;
 - Dates of attendance;
 - Degrees and awards received;
 - Previous educational institution most recently attended; and
 - Birth Date
 - ii. Directory information may be disclosed in the absence of consent unless the course participant files a written notice, within three weeks of the first day in which the course participant is enrolled, informing the Institute not to disclose any or all of the categories.